

REMARKS/ARGUMENTS

The specification has been amended to correct minor typographical errors and to correct trademark usage. Claims 1-8 are pending in the application. Claim 5 has been amended to change dependency. No new matter has been added by these amendments. Reconsideration of this Application and entry of these Amendments are respectfully requested.

Rejections under 35 U.S.C. §102 in view of U.S. Patent No. 4,775,371 to Mueller, Jr.

Claims 1, 4, 7 and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,775,371 to Mueller, Jr., hereinafter “Mueller.” Applicant respectfully traverses this rejection because Mueller fails to teach all the elements of the claims. Specifically, Mueller does not teach a method including “applying a tensile force to the joint region,” as required by claim 1, in part. At Mueller column 2, lines 42-64, as cited by the Examiner, Mueller explains that relatively stiff tubular member 18 is heated and pulled to shrink it down about mandrel 21. Next, outer tubular member 11 is positioned over tubular member 18 and a portion of outer tubular member 11 is heated and shrunk about tubular member 18 to bond the two tubular members together. Mueller teaches only “pulling” on one of the tubular elements before a bond or joint has been created.

Claims 4, 7 and 8 depend directly or indirectly from claim 1 and are not anticipated by Mueller for at least the reasons described above with respect to claim 1. Furthermore, as described above, nowhere does Mueller teach that a “tensile force is applied to a heated joint,” as required by claim 7. In view of the above remarks, Mueller cannot be considered to anticipate claim 1 because the reference fails to teach all of the elements of the claims.

Rejections under 35 U.S.C. §102 in view of U.S. Patent No. 6,336,488 to Vannan et al.

Claims 1, 2 and 6 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,336,488 to Vannan *et al.*, hereinafter “Vannan.” Applicant respectfully traverses this rejection because Vannan fails to teach all the elements of the claims. Specifically, Vannan does not teach a method including “welding the overlapping portions,” as required by claim 1, in part. Vannan relates to “splicing” of unvulcanized rubber components of pneumatic tires. Rubber

splicing is different from welding. As described in U.S. Patent No. 5,824,383 to Tuttle *et al.*, which is assigned to the same assignee as Vannan:

Many rubber articles are made from extruded, calendered, or molded components whose ends are adjoined to form a continuous surface. Each set of adjoined ends is referred to as a splice (Tuttle, column 1, lines 14-17).

Attempts have been made to prevent splice separation for the useful life of a rubber article. These attempts typically include using a hydrocarbon-based adhesive solvent or cement to secure a splice (Tuttle column 1, lines 25-28; Emphasis supplied).

As Vannan is silent regarding methods of securing a splice, the reference fails to anticipate the specific “welding” language of claim 1, in part. Claims 2 and 6 depend from claim 1 and are not anticipated by Vannan for at least the reasons discussed above with respect to claim 1. In view of the above arguments regarding Mueller and Vannan, Applicant respectfully requests that both of the above rejections under 35 U.S.C. §102(b) be withdrawn.

Rejections under 35 U.S.C. §§102 and/or 103 in view of NL Patent 6814117

Claims 1, 2, 7 and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over NL Patent No. 6814117. The Examiner has stated that, “Although the abstract is silent as to the joint region being thinned by the tensile force, it appears from the progressively angled cross hatching of the webs in the joint region that the webs are stretched to the point of being thinned (Emphasis supplied).” Applicant respectfully disagrees with the Examiner’s characterization of NL 6814117. The apparent progression or change in the parallel cross hatching lines in FIG. 1 is clearly an optical illusion brought about by the curvature of the film elements being illustrated. Careful inspection of the drawing reveals that the cross hatching lines are continuously parallel throughout each element, and that the two curving films or strips each display uniform thickness. No portion of the joint between the clamps is thinner than portions of the joint outside the clamps. Thus, NL 6814117 fails to anticipate, or to render obvious, a process resulting in thinning of the joint region, as

required in claim 1, in part. Claims 2, 7 and 8 depend directly or indirectly from claim 1 and are patentable over NL 6814117 for at least the reasons discussed regarding claim 1.

Claim 3 has been rejected under 35 U.S.C. §103(a) as being obvious over NL 6814117. Claim 3 depends from claim 1 and is patentable over NL 6814117 for at least the reasons discussed above regarding claim 1.

Rejection under 35 U.S.C. § 103 over Mueller in view of NL Patent 6814117

Claim 5 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Mueller in view of NL 6814117. Applicant respectfully traverses this rejection. As described above, Mueller teaches only “pulling” on one of the tubular elements before a bond or joint has been created. As described above, NL 6814117 also fails to teach a process resulting in thinning of the joint region. Claim 5 now depends from claim 4, which depends from claim 1. Whereas neither Mueller nor NL 6814117 teaches a process resulting in thinning of a joint region, the combination of these references cannot be considered to teach at least this element of claim 1 and the claims dependent there from.

The Examiner avers that the motivation to combine Mueller and NL 6814117 is to use the clamps of NL 6814117 to provide such elements that are missing from Mueller to provide tension across the joint. Applicant contends that such motivation to combine references is lacking because, as mentioned above, Mueller does not teach providing tension across a joint.

Additionally, Mueller fails to suggest the desirability of the combination. As explained above, in Mueller, relatively stiff tubular member 18 is heated and pulled to shrink it down about mandrel 21. Next, outer tubular member 11 is positioned over tubular member 18 and a portion of outer tubular member 11 is heated and shrunk about tubular member 18 to bond the two tubular members together. Thus, Mueller has incorporated shrinking into two process steps leading to a bond between two elements, and Mueller fails to mention the desirability of thinning, or shrinking the bond any farther. In view of the above arguments regarding the combination of Mueller and NL 6814117, Applicant respectfully requests that this rejection under 35 U.S.C. §103(a) be withdrawn.

Rejection under 35 U.S.C. § 112


Claim 5 has been rejected under 35 U.S.C. § 112 for lack of sufficient antecedent basis for "the balloon neck." Applicant appreciates the Examiner's presumption, for the purposes of examination, that claim 5 was meant to depend from claim 4, and Applicant has amended claim 5 to correct this typographical error.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (978) 739-3075 (EST).

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Respectfully submitted,


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